Stock. 11-67—40,004—27-10-52.

(1953) Department.

Ms SERIES.

G.O. No. Ms. 2663

Dated 14-9-53

[Despatch Abstract.]

GOVERNMENT OF MADRAS

Abstract

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ACTS - The Tungabhadra Project (Prevention of Speculation in Land) Act, 1947 - Amendment to Rules - Notification - Published.

Revenue Department

G.O.Ms.No.2663 Dated 14th September 1953.

Read the following:--

G.O.Ms.No.345, Revenue, dated 14-2-1949.
Government Memorandum No.47464-H/51, Revenue, dated 18-7-1952.
From the Board of Revenue, B.P.Mis No.695, dated 18-6-1952.
Government Memorandum No.47464-H/51, Revenue, dated 18-3-1953.
From the Board of Revenue, B.P.Rt.No.3550/53, dated 7-5-1953.

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ORDER:

In Memorandum No.47464-H/51, Revenue, dated 18-3-1953, the Government published for criticism certain draft amendments to Tungabhadra Project (Prevention of Speculation in Land) Act Rules, 1948. The draft amendments were published at pages 93-97 of the Rules Supplement to Part I of the Fort St. George Gazette dated 1-4-1953. No objections or suggestions have been received within the prescribed time. The draft amendments are therefore hereby confirmed.

2. The notification appended to this order will be published in the Fort St. George Gazette.

(By order of the Governor)

T.J. JACQUES,
Deputy Secretary to Government.

To
The Board of Revenue.
The Chief Engineer (Irrigation).
The Superintendent, Government Press for publication of the notification.
The Director of Information and Publicity.
The Collectors of Kurnool and Bellary.
Copy to the Public Works Department.
Copy to the Legal Department.
Copy to the Finance Department.
Copy to the Mysore Government.

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Forwarded/By order

Superintendent.

Kvnr/14.9

APPENDIX

Notification

In exercise of the powers conferred by section 14(2)(c) of the Tungabhadra Project (Prevention of Speculation in Land) Act, 1947 (Madras Act XIII of 1947), the Governor of Madras hereby makes the following amendments to the Tungabhadra Project (Prevention of Speculation in Land) Rules, 1948, published at pages 212-219 of the Rules Supplement to Part I of the Fort St. George Gazette, dated the 31st August 1948, the same having been previously published as required by section 14(3) of the said Act.

* A m e n d m e n t s *

In the said Rules --

1. In rule II(c), for the word "Provincial", the word "State" shall be substituted;

2. In rule III for sub-rules (1) and (2), the following sub-rules shall respectively be substituted, namely:--

"(1) Every notice under section 3-A shall be in Form "A" and shall give the owner not less than one month's time to furnish such details of the project of land purchased by him after the 1st October, 1944, as are specified in the Notice".;

"(2) In cases where the owner on whom a notice is served under sub-rule (1) does not comply with that notice, the Local Officer shall make such enquiries as he considers necessary and ascertain the purchase price of and other particulars relating to the lands purchased by the person after the 1st October 1944".

(b) sub-rules (3) to (7) shall be re-numbered as sub-rules (4) to (8) respectively, and before sub-rule (4) as so renumbered the following sub-rule shall be inserted, namely:-

"(3). After the owner has furnished the details called for from him in the notice issued under sub-rule (1), or in cases where the owner has failed to do so, after action has been taken as laid down in sub-rule (2), the Local Officer shall serve a notice of demand under section 3(1) in Form "B", requiring the owner to sell to the Government within one month of the receipt of the notice, the land owned by him in excess of fifty acres".;

3. after rule VII the following shall be inserted as rule VII-A, namely:--

"VII-A. (1) Every notice under section 10-A(2) shall be in Form "C" and the owner (that is, the person who alienated project lands or from whom they were acquired without a permit in contravention of section 9 or section 10) shall be required to intimate in writing within a period of one month from the date of receipt of the notice, the prices at which such lands were originally purchased by him.

(2) In any case where the owner on whom notice is served under sub-rule (1) does not comply with the notice, the Local Officer shall make such enquiries as he considers necessary and ascertain the purchase prices and other particulars relating to the lands.

(3) After the owner has intimated the prices of the lands as required by the notice issued under sub-rule (1), or in cases where the owner has failed to do so. after

action has been taken under sub-rule (2), the Local Officer shall serve on the owner a notice in Form "D" under section 10-A(1) calling upon him to sell away such project lands to the Government within one month from the date of receipt of the notice and at the prices specified therein.";

4.(a) rule X shall be re-numbered as sub-rule (ii) of that rule and before the sub-rule as so re-numbered the following shall be inserted as sub-rule (i), namely:

"(i) An appeal under section 11(1) shall lie to the Court referred to therein within sixty days of the receipt of the notice under section 3(1) or 10-A(1)."

(b) in sub-rule (ii) as so re-numbered, in the opening paragraph for the word and figures "section 11" the word, figures and brackets "section 11(4)" shall be substituted;

5. Form "A" shall be re-lettered as Form "B" and the following Form shall be inserted as Form "A", namely:--

" FORM 'A'

tice under section 3-A of Madras Act XIII of 1947.

Whereas it appears that you own more than 50 acres of project land purchased by you after the 1st October 1944;

Now, therefore, under section 3-A of the Tungabhadra Project (Prevention of Speculation in Land) Act, 1947 (Madras Act XIII of 1947), you are hereby required to intimate to the undersigned, in writing before the . . . . . (date), the extent, price, boundaries and other particulars if any, of each such project land, purchased by you after the first October 1944, and also of the fifty acres of such project land which you desire to retain for yourself.

Part I - All project land purchased after the 1st October 1944.

S.No. (1)	District (2)	Taluk (3)	Village (4)	S.No. (5)

Extent (6)	Classification (7)			Boundaries (8)	Person from whom, the date on which and the price at which it was purchased. (9)
	Dry.	Wet.	Garden.		

Registration no. and date of sale deed concerned. (10)

Part II - Fifty acres of project land which the owner desires to retain for himself.

S.No. (1)	District (2)	Taluk (3)	Village (4)	S.No. (5)	Extent. (6)

Classification (7)			Boundaries. (8)	Person from whom, the date on which and the price at which it was purchased. (9)
Wet.	Dry.	Garden.		

Registration No. and date of sale deed concerned. (10).

Signature . . . . . .
Local Officer . . . . . .

6. for Form "B" as so re-lettered the following Form shall be substituted, namely:--

FORM 'B'"

(See rule III (3)).

Notice of demand under section 3(1) of Madras Act XIII of 1947.

Whereas you own more than fifty acres of project land purchased after the 1st October 1944;

Now, therefore, under section 3(1) of the Tungabhadra Project (Prevention of Speculation in Land) Act, 1947 (Madras Act XIII of 1947), the undersigned hereby demands that you should sell to the Government of Madras, the excess over fifty acres of such project land specified in the Schedule below at the price shown in the last column therein within a period of one month from the date of the receipt of the notice.

Signature
Local Officer . . . . . .

Schedule showing the particulars of excess over fifty acres of project land purchased by . . . . . after the 1st October 1944:

Serial No. (1)	District (2)	Taluk (3)	Village (4)	Survey Number (5)	Extent (6)

Classification Dry	Wet	Garden. (7)	Boundaries (8)	Price of land (9)

7. Exist ", "C" and "D" shall be re-lettered as Forms "E", "F" and "G" respectively and the following Forms shall be inserted as Forms "C" and "D", namely:--

FORM 'C' "

(See rule VII-A(1)).

Notice under section 10-A(2) of Madras Act XIII of 1947:

Whereas it appears that you have alienated project land / that project land has been acquired from you without a permit, the particulars of which are given in the Schedule below, in contravention of section 9/10 of the Tungabhadra Project (Prevention of Speculation in Land) Act, 1947 (Madras Act XIII of 1947);

Now, therefore, under section 10-A(2) of the said Act, you are hereby required to intimate to the undersigned in writing within one month from the date of the receipt of this notice, the price or prices at which such land or lands were originally purchased by you.

Signature . . . . . .
Local Officer . . . . . .

chedule.

No.	District (2)	Taluk (3)	Village (4)	Survey Number (5)	Extent (6)

FORM "D"

Notice under section 10-A(1) of Madras Act XIII of 1947.

Whereas ~~you have alienated project land~~ project land has been acquired from you without a permit in contravention of section 9/10 of the said Act;

Now, therefore, under section 10-A(1) of the said Act, you are hereby required to sell the said land to the Government of Madras at the prices specified in column (8) of the Schedule below within one month from the date of the receipt of this notice:

Signature . . . . . .
Local Officer. . . . . .

Schedule.

Serial No. (1)	District (2)	Taluk (3)	Village (4)	Survey No. (5)	Extent. (6)	Classification Wet Dry Garden. (7)	Price (8)

";

8. in rule V(a) for the expression "Form 'B'", the expression "Form 'E'", in rule V(b) for the expression "Form 'C'", the expression "Form 'F'" and in rule VI(b) for the expression "Form 'D'", the expression "Form 'G'" shall be substituted.

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Kvnr/15.9